

**MINUTES
MACOMB COUNTY PARKS & RECREATION COMMISSION
SPECIAL MEETING
APRIL 3, 2006**

President Perna began the meeting at 2:00 p.m. held at Freedom Hill County Park.

ROLL CALL

In Attendance:

James M. Perna, President
Gasper Salerno, Vice-President
Ann E. Klein, Secretary
Dino F. Bucci Jr., Sgt. At Arms
Phillip A. DiMaria
Anthony Lipinski
Timothy M. Malone
Gene Schabath, Rep. Anthony Marrocco
Thomas L. Raymus
Marvin E. Sauger
Betty Slinde

Others Present:

Anthony G. Casasanta, Sharon Quinn and David Humbyrd, Parks & Recreation;
Jim Meyerand and Jill Smith, Corporation Counsel

ADOPTION OF AGENDA

A MOTION BY MR. SALERNO, SUPPORTED BY MR. DIMARIA WAS MADE TO ADOPT THE AGENDA. MOTION CARRIED.

PUBLIC PARTICIPATION

George Parker of Sterling Heights asked who owns the amphitheatre after referencing two conflicting articles in the paper concerning it. Mr. Parker applauded the Parks Commission on their effort to try and correct past mistakes that should benefit the County, the park and the taxpayers.

Fran Parker of Sterling Heights stated she's been attending these meetings for over five years and has asked questions and suggested changes. Ms. Parker thanked the Commission for moving in the right direction with their current actions.

TOPICS OF DISCUSSION

Revenue from Gross Ticket Sales

Mr. Perna asked Mr. Casasanta to bring the Commission up to date on revenue from gross ticket sales. Mr. Casasanta stated he has received a letter and check for \$3,265 on the balance of 1% of ticket sales from Mr. Roncelli. Mr. Roncelli disputes owing a balance, however the check was made out to the County.

Discussion ensued as to whether this amount was based on lawn seats and should be more or less than what was originally received from Mr. Roncelli.

Mr. Casasanta further commented that he would turn this check over to the county auditors for their review.

Mr. Meyerand commented, obviously Mr. Roncelli's accountants originally gave us a figure that was substantially lower. Now all of a sudden we have a letter and a check for a lot higher without any explanation, which raises some questions. Also, per Mr. Roncelli's letter, there is a difference of opinion regarding another paragraph in the contract and this was one of the issues to be addressed today. Mr. Meyerand stated the Board invited Hillside to discuss, not renegotiate, some of the discrepancies in the contract and clearly this is one of them. Again, Mr. Roncelli disagrees with the interpretation; we now have no idea why that number is different than what their accountant provided to us before. Mr. Meyerand stated he thinks it needs to be looked at further.

Mr. Perna asked the commissioners if there was any further discussion.

Mr. Schabath asked if this issue is the same whereby Ticketmaster shredded documents. Mr. Meyerand stated at this point we don't know, it needs to be looked into further.

Mr. Lipinski asked if general seats and lawn seats are indicated in the numbers we have received. Mr. Perna responded a reconciliation of the pavilion was done, however not on the lawn seats.

Mr. DiMaria asked Mr. Casasanta if Ticketmaster provided an exact amount of tickets sold. Mr. Casasanta replied they did not.

Mr. Meyerand reminded the Commission that our auditors look at information provided, they're not making a legal determination, no one has signed off on anything and stated this is part of the lawsuit.

Mr. Perna stated the purpose of today's meeting was to invite the Palace and Hillside to discuss topics.

Mr. Meyerand stated the record should reflect if there is anyone here in the audience to discuss these issues.

Mr. Perna asked if there was anyone from Hillside or the Palace in the audience. Mr. Perna stated let the record show there is no one present from either party.

Further comments from the Commission ensued.

Mr. Malone stated he did not think we should be discussing these items right now. Mr. Meyerand responded that he agreed with Mr. Malone and stated these items are part of the lawsuit. Mr. Meyerand stated the Commission has a regular meeting next Wednesday, today's meeting was for open discussion with Hillside and the Palace.

Mr. DiMaria stated he has a problem with discussing strategy in closed session; he does not want to do anything to undermine Corporation Counsel's effort to win this lawsuit.

Mr. Meyerand explained that some of the Parks Commissioners might not have seen the complaints in the lawsuit. Mr. Meyerand suggested that the commissioners read over the complaints, make notes and discuss them at the next meeting.

Mr. Schabath asked if some statements could be made on the agenda items under topics of discussion for public clarification.

Utilities

Ms. Smith responded the contract clearly states the County is responsible for utilities; her concern was with misuse of utilities.

Mr. Perna stated that with all due respect these are issues all part of the lawsuit.

Further discussion ensued about utilities.

Ms. Slinde asked if utilities are still a problem now. Mr. Casasanta responded he believed it has improved.

Mr. Sauger motioned to have an outside attorney or retired judge look over this contract, and asked that his suggestion go on record. If his motion were seconded he would like to discuss this further. Ms. Klein seconded the motion.

Mr. Sauger continued with comments.

Mr. DiMaria's opinion on the motion was we should not move backwards, we already have three opinions from three good attorneys from Corporation Counsel; this is just another step to circumvent what has already taken place.

Ms. Klein withdrew her seconded motion.

Ms. Slinde commented the recent article in the paper painted the County in a bad light; she believes we are operating according to the contract.

Discussion ensued.

Ms. Klein motioned to adjourn, supported by Mr. Lipinski.

Further discussion followed.

Mr. Salerno commented the County is portrayed as if we initiated the lawsuit.

Mr. Perna acknowledged many of the comments by the Commission however, suggested the County has been served papers on the lawsuit and comments made on various topics for discussion could jeopardize this case.

Mr. Schabath inquired at what point can we make a motion to have a letter sent to Hillside to collect back parking monies for the last five years. Mr. Meyerand responded that is part of the lawsuit.

Ms. Slinde asked Corporation Counsel if it would be appropriate to discuss any of the items on the agenda.

Mr. Perna ruled Ms. Slinde out of order and asked for a Roll Call vote on the motion to adjourn.

ROLL CALL VOTE

	YES	NO
BUCCI	X	
DIMARIA	X	
RAYMUS	X	
KLEIN	X	
LIPINSKI	X	
MALONE	X	
SCHABATH	X	
PERNA	X	
SALERNO	X	
SAUGER	X	
SLINDE	X	
TOTAL	11	0

THE MOTION PASSED UNANIMOUSLY.

OTHER

None.

ADJOURNMENT

President Perna adjourned the Parks & Recreation Commission meeting at 2:25 p.m.

Sincerely,

Ann E. Klein, Secretary
Macomb County Parks & Recreation Commission

AEK/sq